

Appl. No. 10/761,985
Examiner: Tran, Thien F, Art Unit 2811
In response to the Office Action dated November 2, 2005

Date: March 2, 2006
Attorney Docket No. 10113681

AMENDMENTS TO THE DRAWINGS

The attached one (1) sheet of drawings include changes to Fig. 4 adding reference numbers 102, 104, 106, 108, 110, 202 and 204 thereto.

Attachment: Replacement Sheets (1)

REMARKS

Responsive to the Office Action mailed on November 2, 2005 in the above-referenced application, Applicant respectfully requests amendment of the above-identified application in the manner identified above and that the patent be granted in view of the arguments presented. No new matter has been added by this amendment.

Present Status of Application

The drawings are objected to under 37 CFR 1.83(a). The amendment to the specification filed on August 16, 2005 is objected to under 35 U.S.C. 132(a). Claims 1-3, 8 and 9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Claims 1-3, 8 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Clevenger et al (US 6,399,447). Claims 4-7 are withdrawn from consideration. Claims 10-18 are previously canceled.

In this paper, claims 1-9 are canceled, thereby obviating the rejections of claims 1-9 under 35 U.S.C. 112 and 35 U.S.C. 102(b). The specification and Fig. 4 are amended. New claims 19-30 are added. Support for the amendments to the specification, Fig. 4 and the new claims can be found in Fig. 3 and Fig. 4 of the application as originally filed. Thus, on entry of this amendment, claims 19-30 remain in the application.

In particular, Fig. 4 as originally filed shows that both bended gate GC₁ or GC₂ (now numbered 104) has a first portion (now numbered 106) extending along a first direction (now numbered 202) and a second portion (now numbered 108) extending along a second direction (now numbered 204) intersecting with the first direction, wherein the first portion of the bended gate is adjacent to the source/drain region (S/D) and the second portion of bended gate is adjacent to the buried strap out-diffusion region (BS₁ or BS₂). Furthermore, as shown in Fig. 4 as originally filed, the bended gate is adjacent to a shallow trench isolation (STI). In addition, the first direction is perpendicular to the second direction, the first direction is parallel to the surface of the substrate, and the second direction is parallel to a sidewall of the trench (DT₁ or DT₂). As also shown in the figure, a spacer (now numbered 102) is formed on a sidewall of the bended

gate between the bit line contact (BC) and the bended gate. The bended gate is L shaped. The bended gate oxide layer (now numbered 110) underlying the bended gate is also L shaped.

Reconsideration of this application is respectfully requested in light of the amendments and the remarks contained below.

Objections to the Drawings

It is Applicant's belief that the cancellation of claims 1-9 renders the objection to the drawings moot. Withdrawal of the objection is respectfully requested.

Objections to the Specification

Applicant has canceled the subject matter objected to by the Examiner in the office action. Withdrawal of the objection is respectfully requested.

New Claims 19-30

New claim 19 recites a transistor, comprising a source/drain region; a buried strap out-diffusion region adjacent to one sidewall of a deep trench; and **a bended gate, comprising a first portion extending along a first direction and a second portion extending along a second direction intersecting with the first direction**, wherein the first portion of the bended gate is adjacent to the source/drain region and the second portion of bended gate is adjacent to the buried strap out-diffusion region.

To the contrary, Clevenger discloses a vertical gate 106. There is no teaching or suggestion in Clevenger of a bended gate, comprising a first portion extending along a first direction and a second portion extending along a second direction intersecting with the first direction as recited in claim 19.

To anticipate a claim, a reference must teach every element of the claim. In this regard, the Federal Circuit has held:

Appl. No. 10/761,985
Examiner: Tran, Thien F, Art Unit 2811
In response to the Office Action dated November 2, 2005

Date: March 2, 2006
Attorney Docket No. 10113681

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

For at least the reasons described above, it is Applicant's belief that Clevenger fails to teach or suggest all the limitations of claim 19. Claim 19 is therefore believed to be in condition for allowance. Insofar as claims 20-30 depend from claim 19 either directly or indirectly, and therefore incorporate all of the limitations of claim 19, it is Applicant's belief that these claims are also in condition for allowance.

Conclusion

The Applicant believes that the application is now in condition for allowance and respectfully requests so.

Respectfully submitted,



Nelson A. Quintero
Reg. No. 52,143
Customer No. 34,283
Telephone: (310) 401-6180

P115971NAQ